

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN  
AT LAW AND IN ADMIRALTY**

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No.

ONE 1998 PETERBILT 379 SEMI-TRUCK,  
VEHICLE IDENTIFICATION NUMBER (VIN)  
1XP5DB9X6WD443453, WITH ALL  
APPURTENANCES AND ATTACHMENTS  
THEREON, and

ONE 2015 REITNOUER FLAT-BED TRAILER,  
VEHICLE IDENTIFICATION NUMBER (VIN)  
1RND51A35FR026872, WITH ALL  
APPURTENANCES AND ATTACHMENTS  
THEREON,

Defendants.

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**VERIFIED COMPLAINT FOR CIVIL FORFEITURE IN REM**

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The United States of America, by its attorneys, Richard G. Frohling, United States Attorney for the Eastern District of Wisconsin, and Bridget J. Schoenborn, Assistant United States Attorney for this district, alleges the following in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure:

**Nature of the Action**

1. This is a civil action to forfeit properties to the United States of America, under 21 U.S.C. § 881(a)(4), for violations of 21 U.S.C. § 841(a)(1).

**The Defendants In Rem**

2. The defendant property, one 1998 Peterbilt 379 semi-truck bearing vehicle identification number 1XP5DB9X6WD443453, with all appurtenances and attachments thereon,

was seized on or about December 7, 2021, from Juan Carlos Ruiz-Garcia at or near Interstate 35 at mile marker 188 in Burchinal, Iowa.

3. The defendant property, one 2015 Reitnouer flat-bed trailer bearing vehicle identification number 1RND51A35FR026872, with all appurtenances and attachments thereon, was seized on or about December 7, 2021, from Juan Carlos Ruiz-Garcia at or near Interstate 35 at mile marker 188 in Burchinal, Iowa.

4. The defendant 1998 Peterbilt 379 semi-truck is registered to United Trucking WI Inc., with a listed address being the same as the residence of Juan Carlos Ruiz-Garcia – namely, 7XXX 88<sup>th</sup> Avenue, Pleasant Prairie, Wisconsin, which is located in the Eastern District of Wisconsin.

5. The defendant 2015 Reitnouer flat-bed trailer is registered to United Trucking LLC, with a listed address being the same as the residence of Juan Carlos Ruiz-Garcia – namely, 7XXX 88<sup>th</sup> Avenue, Pleasant Prairie, Wisconsin.

6. According to Wisconsin Department of Financial Institutions Corporate Records website, United Trucking WI, Inc.'s registered agent is Juan C. Ruiz Garcia, 7XXX 88<sup>th</sup> Avenue, Pleasant Prairie, Wisconsin, and its principal office is located at 7XXX 88<sup>th</sup> Avenue, Pleasant Prairie, Wisconsin.

7. According to Wisconsin Department of Financial Institutions Corporate Records website, United Trucking LLC's registered agent was Juan C. Ruiz, 7XXX 88<sup>th</sup> Avenue, Pleasant Prairie, Wisconsin, and its principal office was located at 7XXX 88<sup>th</sup> Avenue, Pleasant Prairie, Wisconsin, prior to its dissolution on January 18, 2019.

8. The defendant 1998 Peterbilt 379 semi-truck and the defendant 2015 Reitnouer flat-bed trailer are presently in the custody of the United States Marshal Service in Elkhorn, Nebraska.

### **Jurisdiction and Venue**

9. This Court has subject matter jurisdiction over an action commenced by the United States under 28 U.S.C. § 1345, and over an action for forfeiture under 28 U.S.C. § 1355(a).

10. This Court has *in rem* jurisdiction over the defendant properties under 28 U.S.C. § 1355(b).

11. Venue is proper in this district under 28 U.S.C. § 1355(b)(1), because the acts or omissions giving rise to the forfeiture occurred, in part, in this district.

### **Basis for Forfeiture**

12. The defendant property, one 1998 Peterbilt 379 semi-truck bearing vehicle identification number 1XP5DB9X6WD443453, is subject to forfeiture to the United States of America under 21 U.S.C. § 881(a)(4) because it was used, or intended to be used, to transport, or to facilitate the transportation, sale, receipt, possession, or concealment of a controlled substance in violation of 21 U.S.C. § 841(a)(1).

13. The defendant property, one 2015 Reitnouer flat-bed trailer bearing vehicle identification number 1RND51A35FR026872, is subject to forfeiture to the United States of America under 21 U.S.C. § 881(a)(4) because it was used, or intended to be used, to transport, or to facilitate the transportation, sale, receipt, possession, or concealment of a controlled substance in violation of 21 U.S.C. § 841(a)(1).

### **Facts**

14. Cocaine is a Schedule II controlled substance under 21 U.S.C. § 812.

15. Fentanyl is a Schedule II controlled substance under 21 U.S.C. § 812.

16. The location information for Juan Carlos Ruiz-Garcia's cellular telephone showed that Ruiz-Garcia had departed from Pleasant Prairie, Wisconsin on or about December 1, 2021,

and traveled west arriving in California, a source area for narcotics, on December 3, 2021, before departing from California on December 5, 2021, back towards the Midwest.

17. On December 7, 2021, troopers with the Iowa State Patrol conducted a traffic stop on the 1998 Peterbilt 379 semi-truck and its attached 2015 Reitnouer flat-bed trailer for an equipment violation on Interstate 35 northbound near mile marker 188 in Burchinal, Iowa.

18. The driver of the semi-truck was Juan Carlos Ruiz-Garcia, and the sole passenger was an individual having the initials J.H.

19. A drug detection canine gave a positive alert to the odor of a controlled substance on the rear of the 2015 Reitnouer flat-bed trailer.

20. Due to inclement weather and safety issues, the semi-truck and trailer were moved to the Iowa Department of Transportation in Mason City, Iowa to conduct a search of the semi-truck and trailer.

21. During the search, agents located approximately 16 sealed Jacuzzi tubs stacked on the trailer. One of the Jacuzzi tubs had a hole in its wrapping and a cardboard box on top. Located in the interior seating area of that tub were four black duffle bags, which contained the following:

- A. Bag one contained twelve kilogram-size brick-like objects consisting of cocaine. Each brick was sealed with plastic wrap and wrapped with black tape. Bag one contained a total of approximately 12,018 grams of cocaine.
- B. Bag two contained twelve kilogram-size brick-like objects consisting of cocaine. Each brick was sealed with plastic wrap and wrapped with black and silver tape. Bag two contained a total of approximately 11,527 grams of cocaine.
- C. Bag three contained thirteen kilogram-size brick-like objects consisting of cocaine. Each brick was sealed with plastic wrap and wrapped with black tape. Bag three contained a total of approximately 12,053 grams of cocaine.
- D. Bag four contained eleven kilogram-size brick-like objects consisting of cocaine. Each brick was sealed with plastic wrap and wrapped with black and silver tape. Bag four contained a total of approximately 10,859 grams of cocaine.

22. A total of approximately 46 kilograms of cocaine was seized from the trailer on December 7, 2021.

23. On or about December 7, 2021, Juan Carlos Ruiz-Garcia acknowledged that he had been transporting the approximately 46 kilograms of cocaine from California, stating in substance that he was “just a mule.”

### **Administrative Forfeiture Proceedings**

24. The Drug Enforcement Administration (“DEA”) began administrative forfeiture proceedings against the 1998 Peterbilt 379 semi-truck and the 2015 Reitnouer flat-bed trailer as properties that were used, or intended to be used, to transport, or to facilitate the transportation, sale, receipt, possession, or concealment of a controlled substance.

25. On or about March 9, 2022, Juan Carlos Ruiz-Garcia filed a claim with the DEA in the administrative forfeiture proceedings to the defendant 1998 Peterbilt 379 semi-truck and the defendant 2015 Reitnouer flat-bed trailer.

### **Warrant for Arrest In Rem**

26. Upon the filing of this complaint, the plaintiff requests that the Court issue an arrest warrant *in rem* pursuant to Supplemental Rule G(3)(b), which the plaintiff will execute upon the defendant properties pursuant to 28 U.S.C. § 1355(d) and Supplemental Rule G(3)(c).

### **Claims for Relief**

27. The plaintiff alleges and incorporates by reference the paragraphs above.

28. By the foregoing and other acts, the defendant property, one 1998 Peterbilt 379 semi-truck bearing vehicle identification number 1XP5DB9X6WD443453, was used, or intended to be used, to transport, or to facilitate the transportation, sale, receipt, possession, or concealment of a controlled substance in violation of 21 U.S.C. § 841(a)(1).

29. The defendant 1998 Peterbilt 379 semi-truck bearing vehicle identification number 1XP5DB9X6WD443453 is therefore subject to forfeiture to the United States of America under 21 U.S.C. § 881(a)(4).

30. By the foregoing and other acts, the defendant property, one 2015 Reitnouer flat-bed trailer bearing vehicle identification number 1RND51A35FR026872, was used, or intended to be used, to transport, or to facilitate the transportation, sale, receipt, possession, or concealment of a controlled substance in violation of 21 U.S.C. § 841(a)(1).

31. The defendant 2015 Reitnouer flat-bed trailer bearing vehicle identification number 1RND51A35FR026872 is therefore subject to forfeiture to the United States of America under 21 U.S.C. § 881(a)(4).

WHEREFORE, the United States of America prays that a warrant of arrest for the defendant properties be issued; that due notice be given to all interested parties to appear and show cause why the forfeiture should not be decreed; that judgment declare the defendant properties to be condemned and forfeited to the United States of America for disposition according to law; and that the United States of America be granted such other and further relief as this Court may deem just and equitable, together with the costs and disbursements of this action.

Dated at Milwaukee, Wisconsin, this 10<sup>th</sup> day of May, 2022.

Respectfully submitted,

RICHARD G. FROHLING  
United States Attorney

By: s/BRIDGET J. SCHOENBORN  
BRIDGET J. SCHOENBORN  
Assistant United States Attorney  
Wisconsin Bar Number: 105396  
Attorney for Plaintiff  
Office of the United States Attorney  
Eastern District of Wisconsin  
517 East Wisconsin Avenue, Room 530  
Milwaukee, WI 53202

Telephone: (414) 297-1700  
Fax: (414) 297-1738  
E-Mail: [bridget.schoenborn@usdoj.gov](mailto:bridget.schoenborn@usdoj.gov)

### Verification

I, Jeffrey Milam, hereby verify and declare under penalty of perjury that I am a Special Agent with the Drug Enforcement Administration (“DEA”), that I have read the foregoing Verified Complaint for Civil Forfeiture *in rem* and know the contents thereof, and that the factual matters contained in paragraphs 14 through 23 of the Verified Complaint are true to my own knowledge.

The sources of my knowledge and information are the official files and records of the United States, information supplied to me by other law enforcement officers, as well as my investigation of this case, together with others, as a Special Agent with the DEA.

I hereby verify and declare under penalty of perjury that the foregoing is true and correct.

Date: 05/10/2022

s/ A/GS Jeff Milam  
Jeffrey Milam  
Special Agent  
Drug Enforcement Administration